

Paul B. Heatherman - OSB #933000
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IN THE UNITED STATES BANKRUPTCY COURT
DISTRICT OF OREGON

In re:

JAMES JOEL HOLMAN and
CANDICE EVANGELINE HOLMAN,
Debtors.

Case No. 14-35381-rld7

Chapter 7

DWIGHT and LAURA DANIELS,
husband and wife

Adv. Proc. No. 14-03285-rld

Plaintiffs,

**AMENDED
NOTICE OF APPEAL
AND STATEMENT OF ELECTION**

vs.

JAMES JOEL HOLMAN and
CANDICE EVANGELINE HOLMAN,
Defendants.

IDENTITY OF APPELLANT

1. Name of appellant: James Joel Holman
2. Position of appellant in the adversary proceeding or bankruptcy that is the subject of this appeal: Debtor/Defendant.

IDENTITY OF THE SUBJECT OF THE APPEAL

1. Describe the judgment, order, or decree appealed from: JUDGMENT *and* ORDER ON

1 - Amended Notice of Appeal and Statement of Election

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1 DEFENDANTS' MOTION TO AMEND FINDINGS (both attached)

2 2. State the date on which the judgment, order, or decree was entered: JUDGMENT -
3 SEPTEMBER 8, 2015; *and* ORDER ON DEFENDANTS' MOTION TO AMEND
4 FINDINGS - October 19, 2015.

5 **IDENTITY OF THE OTHER PARTIES TO THE APPEAL**

- 6 1. Party: Dwight and Laura Daniels Attorney: Darian A. Stanford
7 Slinde Nelson Stanford
8 111 SW 5th Ave., Ste 1940
9 Portland, OR 972014
10 Phone: 503-417-7777
- 11 2. Party: Candice Evangeline Holman Attorney: Paul B Heatherman
12 Law Office of Paul
13 Heatherman PC
14 250 NW Franklin, Ste 402
15 Bend, OR 97703
16 Phone: 541-389-1010

17 **STATEMENT OF ELECTION**

18 Appellant elects to have the appeal heard by the Bankruptcy Appellate Panel.

19 **SIGNATURE**

20 /s/ Paul Heatherman

21 Date: 12/07/15

22 Paul B. Heatherman - OSB #933000
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24 250 NW Franklin Ave., Ste 402
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28 2 - Amended Notice of Appeal and Statement of Election

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CERTIFICATE OF SERVICE
Adversary Proceeding No. 14-03285-rld

I hereby certify that on December 7, 2015, I served a true copy of the foregoing *Amended Notice of Appeal and Statement of Election*, via first class mail, on the following:

Darian A. Stanford / Hunter Bitner
Slinde Nelson Stanford
111 SW 5th Ave., Ste 1940
Portland, OR 97204
Attorney for Plaintiffs

Dated: December 7, 2015.

/s/ Paul B. Heatherman
Paul B. Heatherman - OSB #933000
Attorney for Defendants/Debtors

3 - Amended Notice of Appeal and Statement of Election

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Below is a Judgment of the Court. If the judgment is for money, the applicable judgment interest rate is: "0.36%"

Pendell L. Dunn

RANDALL L. DUNN
U.S. Bankruptcy Judge

UNITED STATES BANKRUPTCY COURT
FOR THE DISTRICT OF OREGON

In Re:

James Joel Holman,
Candice Evangeline Holman,

Debtors.

Bankruptcy Case
No. 14-35381-rld7

Dwight Daniels,
Laura Daniels,

Plaintiffs,

Adv. Proc. No. 14-3285-rld

JUDGMENT

 V_0

James Joel Holman,
Candice Evangeline Holman,

Defendants.

Based upon the findings and conclusions set forth in the Memorandum Opinion issued contemporaneously herewith,

IT IS ORDERED and ADJUDGED that:

1. Judgment shall be in favor of defendant James Joel Holman on the plaintiffs' claim under 11 U.S.C. § 523(a)(2)(A), and said claim

1 is dismissed with prejudice.

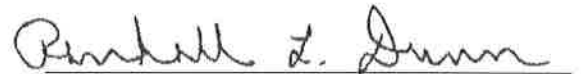
2 2. Defendant James Joel Holman's debt to plaintiffs is
3 excepted from his discharge under 11 U.S.C. § 523(a)(2)(B).

3. Judgment shall be in favor of defendant Candice Evangeline Holman on the plaintiffs' claim under 11 U.S.C. § 523(a)(2)(B), and said claim is dismissed with prejudice.

7 || ###

8 cc: R. Hunter Bitner, III
Darian Stanford
9 Paul B. Heatherman

Below is an Order of the Court.



RANDALL L. DUNN
U.S. Bankruptcy Judge

UNITED STATES BANKRUPTCY COURT
DISTRICT OF OREGON

In re

JAMES JOEL HOLMAN and CANDICE
EVANGELINE HOLMAN,

Debtors.

Case No. 14-35381-rld7

Chapter 7

DWIGHT and LAURA DANIELS,
husband and wife,

Plaintiffs,

Adversary Proceeding No. 14-03285-rld

v.

JAMES JOEL HOLMAN and CANDICE
EVANGELINE HOLMAN,

Defendants.

**ORDER ON DEFENDANTS' MOTION TO
AMEND FINDINGS**

On October 13, 2015, this case came before this Court on Defendants' James and Candice Holman's Motion to Amend Findings and Supporting Documents. R. Hunter Bitner, II appeared by telephone on behalf of Plaintiffs Dwight and Laura Daniels. Paul Heatherman appeared by telephone on behalf of Defendant James Holman.

WHEREFORE, the Court, having considered the pertinent issues and all written submissions and arguments, HEREBY ORDERS THAT:

Defendants' Motion to Amend Findings and Supporting Documents is DENIED. *For the reasons stated orally on the record at the hearing.* RWN

RWN

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RWN

Presented by:

/s/ R. Hunter Bitner, II
Slinda Nelson Stanford
111 SW Fifth Avenue, Suite 1940
Portland, OR 97204
Phone: (503) 417-7777
Fax: (503) 417-4250
Email: hunter@slindenelson.com

cc: Served on all parties via Notice of Electronic Filing